GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services – Education (SE) Department – Allegations of corruption against Sri Jalagadugula Koteswara Rao, S/o late Appa Rao, Secretary, Zilla Grandhalaya Samstha, Srikakulam, Srikakulam District – Prosecution Sanction Orders – Issued.

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EDUCATION (SE.VIG) DEPARTMENT

G.O.MS.No. 87 Dated: 24-08-2016

ORDER:

Whereas, Sri Jalagadugula Koteswara Rao, S/o late Appa Rao, Secretary, Zilla Grandhalaya Samstha, Srikakulam, Srikakulam District worked as such from 20.05.2014 to 18.12.2014. By virtue of the post held by him, he falls within the category of public servant as defined under section 2 (C) of the Prevention of Corruption Act – 1988 (Central Act -49 of 1988).

2. And whereas, Sri Cholla Venkatesh is working as outsourcing Librarian in the Branch Library at G. Sigadam. Previously he worked at different places in Srikakulam District. Along with him 5 Librarians, 1 Record Assistant and 8 Attenders are working on outsourcing basis in Zilla Grandhalaya Samstha in Srikakulam District. They are working through ARTS Nirmalam (Outsourcing Agency). They came to know that the EPF amounts pertaining to 40 months from 15.05.2008 to 30.09.2011 were not credited to their accounts by the then agencies and the amounts were lying in the Zilla Grandhalaya Samstha Account. As such 3 months prior to 18.12.2014, they submitted an application to the Secretary, Zilla Grandhalaya Samstha. As Sri Cholla Venkatesh is looking after the outsourcing employees, he discussed with the Secretary Sri J. Koteswara Rao, in this regard. Then the Secretary Sri J. Koteswara Rao calculated and informed that the Librarians would get approximately an amount of Rs.62,000/- each, Record Assistant would get Rs.53,000/- and each attender would get Rs. 50,000/- and so saying he demanded to pay Rs.4000/- per each beneficiary. Then Sri Cholla Venkatesh went away and again met the Secretary Sri J. Koteswara Rao on 16.12.2014 and informed that they can't afford to give Rs.4000/- each, he reduced the bribe amount of Rs.3,000/- for each beneficiary. But as Sri Cholla Venkatesh was not interested to give the bribe amount, he informed the Secretary Sri J.Koteswara Rao, that no money is available with them, the Secretary Sri J. Koteswara Rao, told that he would sign on the cheque and would forward it to the agency and asked him to arrange an amount of Rs.18,000/- and to give the said amount to him at his office on 18.12.2014 and to pay the remaining amount after the amount is received by them. The Secretary Sri J. Koteswara Rao, further threatened him that he will remove them from outsourcing jobs if they do not pay the bribe amount. Having no other option Sri Cholla Venkatesh, agreed to give the demanded bribe amount to Sri J. Koteswara Rao. Later when he discussed with the other 11 outsourcing employees and they did not agree to pay the bribe amount and also decided to give complaint to ACB against Sri J. Koteswara Rao. Thus Sri Cholla Venkatesh submitted a written report to DSP, ACB, Srikakulam Range to take action against Sri J. Koteswara Rao.

3. And whereas, the DSP, ACB, Srikakulam Range after following the due procedure, registered the said report as a case in Cr. No.06/RCT-ACB/SKL/2014 under section 7, of the Prevention of Corruption Act, 1988 (Central Act No.49 of 1988) of Anti-Corruption Bureau, Srikakulam Range, against Sri Jalagadugula Koteswara Rao, S/o late Appa Rao, Secretary, Zilla Grandhalaya Samstha, Srikakulam, Srikakulam District at 14.30 hrs on 18.12.2014 and took up investigation.

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4. And whereas, during the course of trap on 18.12.2014 Sri J.Koteswara Rao was trapped in his Chambers when he further demanded and accepted bribe amount of Rs.18,000/- from Sri Cholla Venkatesh. During the post trap proceedings both the hand fingers of Sri J. Koteswara Rao yielded positive to the chemical test. The tainted amount of Rs.18,000/- was recovered by the DSP, on being produced by Sri J. Koteswara Rao from his right side pant pocket. The serial numbers of the said currency notes found tallied with the serial numbers of the currency handed over by Sri Cholla Venkatesh during the pre trap proceedings. The inner linings of the right side pant pocket of Sri J. Koteswara Rao also yielded positive result to the chemical test. The DSP seized tainted amount, the black colour trouser of Sri J. Koteswara Rao and resultant solutions. Further DSP, ACB, Srikakulam Range seized connected records from O/o Secretary, Zilla Grandhalya Samstha, Srikakulam, Srikakulam District.

5. And whereas, the above said acts of Sri Jalagadugula Koteswara Rao, S/o late Appa Rao, Secretary, Zilla Grandhalaya Samstha, Srikakulam, Srikakulam District constitute the offence punishable under section 7 and sub section (2) of section 13 read with Clause (d) of sub section (1) of section 13 of the Prevention of Corruption Act – 1988 (Central Act 49 of 1988).

6. And whereas, the Government of Andhra Pradesh, being the competent authority to remove Sri Jalagadugula Koteswara Rao, S/o late Appa Rao, Secretary, Zilla Grandhalaya Samstha, Srikakulam, Srikakulam District from Government services and after fully and carefully examining the material i.e. FIR, pre & post trap proceedings, copies of statements of witnesses, relevant records, explanation of Sri J. Koteswara Rao and final report of Director General, ACB, etc., placed before them, with regard to the said allegations and having regard to the circumstances of the case, considered that Sri Jalagadugula Koteswara Rao, S/o late Appa Rao, Secretary, Zilla Grandhalaya Samstha, Srikakulam, Srikakulam District should be prosecuted in a Court of Law for the above said offences.

7. Now, therefore, in exercise of the powers, conferred by Clause (b) of sub section (1) of section 19 of the Prevention of Corruption Act, 1988 (Central Act No. 49 of 1988) the Government of Andhra Pradesh, hereby accord sanction for prosecution of Sri Jalagadugula Koteswara Rao, S/o late Appa Rao, Secretary, Zilla Grandhalaya Samstha, Srikakulam, Srikakulam District for the above said offences punishable under section 7 and sub section (2) of section 13 read with Clause (d) of sub section (1) of section 13 of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988) and for any other cognizable offences punishable under any provision of law for the time being in force in respect of the said allegation in a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

(ADITYA NATH DAS)
PRINCIPAL SECRETARY TO GOVT.

To
The Director General, Anti-Corruption Bureau, AP, Banjara Hills, Road No.12, MLA colony, Hyderabad.